

## REMARKS

The undersigned thanks Examiner Cooney for the courtesies extended during the telephone conversation of October 24, 2003. During this conversation, the undersigned discussed the claims of the divisional application. The undersigned explained that the Applicants request that claims 41-56 and 92 of Group III and claims 96-134 of Group II in the restriction requirement of July 31, 2002 in the parent application should be combined in the divisional application because these are related claims.<sup>1</sup> Examiner Cooney said that if he gets the divisional application, he would be reasonable and consider combining the claims of Groups II and III.

In claim 41, the method of preparing the foam powder is the patented method of claim 1 of the parent application. The Applicants believe that the patent method of claim 1 of the parent application results in a patentable polymeric foam powder.

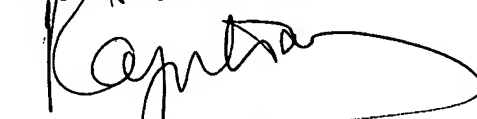
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<sup>1</sup> The claims in Group II are 99-134 and in Group III are 41-56 and 92. It appears that the correct set of claims in Group II should be 96-134 because claim 99 depends from claim 96.

In the event that the transmittal letter is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 442602000110.

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Respectfully submitted,



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